IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 457 OF 2006

Kiran M. Yeralkar ..Petitioner.

Vs.

State of Maharashtra & Anr. ..Respondents.

Petitioner in-person present.

Mr. A. Sayed, AGP for Respondent Nos. 1 & 2.

CORAM : F.I. REBELLO AND ANOOP V. MOHTA,JJ.

DATED : 08TH MARCH, 2006.

P.C.:

1. Rule. Heard forthwith.

2. Petitioner is present in -person. The learned AGP waives notice for respondents 1 & 2.

3. The petitioner was a party to the Application under section 33 (C)(1) of the I.D. Act, 1947, wherein an order came to be passed on 20th September, 2004 against M/s. Sterling Roadline Pvt. Ltd.. As the amount was not paid, the petitioner applied for a certificate of recovery which is issued in the petitioner’s favour on 31st January, 2005. As the

certificate was issued for recovery of the amounts by the Collector, and despite the application dated 6th June, 2005 to the Respondents to recover the amounts and as still no steps have been taken by the respondents, to recover the amounts, the petitioner filed the present petition.

4. Considering the order in the petitioner's favour and the certificate issued, the Collector is directed to take steps to make recovery from M/s. Sterling Roadline Pvt.Ltd., if there is no stay of any court, within a period of 12 weeks from today.

5. Rule is made absolute in the above terms with no order as to costs.

08.03.2006 (F.I.Rebello,J)

(Anoop V.Mohta, J)

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